

ESTTA Tracking number: **ESTTA716078**

Filing date: **12/21/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Mood Media
Granted to Date of previous extension	12/23/2015
Address	Route D'Ã©partementale 307 F-78810 FEUCHEROLLES, FRANCE
Correspondence information	Arlene D. Hanks Moore & Van Allen PLLC 3015 Carrington Mill Boulevard, Suite 400 Morrisville, NC 27560 UNITED STATES arlenehanks@mvalaw.com Phone:919-286-8078

Applicant Information

Application No	86586542	Publication date	08/25/2015
Opposition Filing Date	12/21/2015	Opposition Period Ends	12/23/2015
Applicant	Marino Radio Marketing 11741 Otsego St Valley Village, CA 91607 UNITED STATES		

Goods/Services Affected by Opposition


Class 038. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Radio Program Broadcasting; Internet Radio Services, namely, transmission of audio material via the internet; Radio Broadcasting

Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Trademark Act section 43(a)

Marks Cited by Opposer as Basis for Opposition

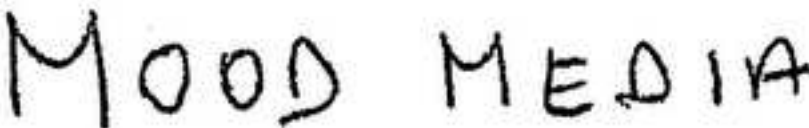
U.S. Application No.	79162026	Application Date	12/16/2014
Registration Date	NONE	Foreign Priority Date	06/19/2014
Word Mark	MOOD MIX		


Design Mark	 The logo for MOOD:MIX. The word "MOOD" is in a large, bold, black sans-serif font. A red colon ":" is positioned between "MOOD" and "MIX". The word "MIX" is in a slightly smaller, black sans-serif font.
Description of Mark	The mark consists of the wording "MOOD:MIX" with the words "MOOD" and "MIX" in black and the colon in red.
Goods/Services	<p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Advertising, namely, online advertising on a computer network for others; market analysis and studies; statistical studies of data for business purposes and market opinion polling; rental of advertising material and space; rental of advertising time on communication media; commercial information and business advice services; organization of events, exhibitions and trade fairs for commercial or advertising purposes; bill-posting; publication of advertising texts; professional consulting in advertising and promotional matters; dissemination of advertising material, leaflets, prospectuses, printed matter, and samples; dissemination of advertising for others via an on-line communications network on the internet; Advertising, namely, dissemination of advertising messages for others on computer networks including sound and/or recorded video and images; layout services for advertising purposes, publication and writing of advertising texts; sales promotion for others; presentation of goods on all communication media, for retail sale, namely, retail store services featuring clothing, footwear, clothing accessories, bags, jewelry, cosmetics, food, vehicles; public relations; business administration; office functions; accounting; management of computer files, data banks and databases; compilation of information into and management of on-line computer databases and on-line searchable databases; demonstrations of goods via communication networks; consultancy in organization and business management provided via computer networks and communication networks; business management; advertising and marketing services, namely, promotion of the goods and services of others via computer networks, wireless networks and global communication networks; dissemination of advertisements and promotional materials for others via electronic mail and computer networks, wireless networks and global communication networks; analysis and consultancy relating to marketing; conducting of marketing studies; marketing management advice; preparation of marketing plans; marketing information; advertising management</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Telecommunication services, namely, personal communication services about professional and business matters; provision of multiple-user access to a global computer information network; communication by and/or between computers and computer terminals; communications providing access to a global database; electronic transmission and broadcasting of data, sounds, images, videos and documents via computer terminals and via transmission systems such as waves, radio, optical fibers, television, cable, satellite and the Internet; transmission of file sharing and network sharing information via electronic communication networks; teleconferencing services; secure electronic transmission of data, particularly with access codes; broadcasting of multimedia programs that feature computer editing of texts, still or animated images, and musical or other sounds, for interactive or other use; broadcasting of radio and television programs, including via the Internet; radio broadcasting; broadcasting of television, radio and interactive television programs; broadcasting radio or television programs online via a global computer network; transmission of information by telematic means and video communication systems; electronic transmission of visual and/or sound data by all means of communication, including the Internet; electronic messaging services; providing access to a directory of information available on a global computer network; providing online access to sound and/or image databases; rental of access time to a database; transmission of information and video or audio data held in databases in various fields via a global computer network connected to the Internet</p>

	<p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Entertainment and interactive entertainment services, namely, the provision of continuing programs, segments, movies, shows featuring music, news, comedy, commentary delivered via a global computer network or the Internet; educational services, namely, teaching and training in business, industry and information technology services; entertainment and educational services, namely, development, creation and production of video, text, audio and multimedia entertainment content, musical, radio and televised entertainment and online computer games; entertainment and educational services, namely, providing online non-downloadable books, magazines, newspapers, journals, electronic periodicals in the field of marketing, music, technology; providing of training and publication of tutorials in the field of marketing, music, technology; information, advice relating to all the aforesaid services; booking of seats for shows; organization of non-business, non-commercial competitions, namely, sports, cultural, music and technology competitions, lotteries and games of all kinds, on the radio, television and the Internet for entertainment and educational purposes; organization of fairs or exhibitions for cultural or educational purposes; arranging and conducting of training workshops, colloquiums, conferences, forums, congresses, seminars or symposiums for cultural or educational purposes; arranging of information campaigns and of professional or other events for cultural or educational purposes, namely, conventions, in-person forums in the fields of marketing, music, technology; production of films, series of videos music videos and television programs; organizing sporting and cultural activities; lending libraries; rental of films and sound recordings; editing and production of audiovisual, radio and television programs; publication of books and texts other than for advertising; rental of all sound and/or media recordings, media for recording in the nature of DVDs; editing and copying services for sounds and images, recording services for sounds and images in the nature of recording studios, recording services for videos in the nature of filming; editing of audiovisual programs in the nature of formatting of texts, of images, whether still or animated, of musical sounds; music publishing services; music composition services; creation, development and production of music programming; publication of texts, books, illustrations, journals, newspapers, magazines, periodicals and publications of all types and in all forms, other than advertising texts, including electronic and digital publications; publishing of multimedia carriers in the nature of interactive disks; publishing of multimedia programs and applications; editing of texts, still or animated images, musical sounds; publication of electronic books and journals on-line; photography services</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Advisory services for space planning and technical planning of spaces for projecting video, audio and visual content and the dissemination of olfactory content; computer services, namely, the design of computer software, software packages and computer hardware; maintenance and updating of computer software, computer programming and computer systems analysis; design, testing, research, technical assistance in the nature of engineering and information in the field of storage of data, backup systems, hardware, backup and storage systems, computer software, telecommunications software and mobile and wireless communication devices; consultancy in the field of computer software, maintenance of computer software; programming for computers; services of an application service provider, namely, the design and development of software for creating, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing of text, sounds, graphics, pictures and electronic publications; graphic design for the compilation of web pages on the Internet; creating and managing Web sites and internal network sites; hosting of Web sites for others; providing search engines enabling the procurement of information via a communication network; providing search engines enabling the procurement of information on a global computer network; information, advice relating to all the aforesaid services; design for others of web sites, in particular online information directories; provision of search engines for obtaining data on a</p>
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	global computer network connected to the Internet; digital imaging services		
U.S. Registration No.	3825276	Application Date	02/04/2009
Registration Date	07/27/2010	Foreign Priority Date	12/16/2008
Word Mark	MOOD MEDIA		
Design Mark			
Description of Mark	The mark consists of the acronym "MM" comprised of a stylized circle design in a rectangle above the wording "MOOD MEDIA".		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Sound and image recording, storage and reproducing apparatus and blank magnetic, electronic and digital data carriers for use therewith; computer software for use in the creation of databases in the field of music and videos; computer software for recording sound and images for use with sound and image recording, storage and reproducing apparatus and carriers; Electronic databases in the field of music, video and news recorded on computer media</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 Printed matter, namely, books, magazines and periodicals in the field of music</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Advertising services; Dissemination of advertising for others via the Internet; and advertising management</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0 Transmission and broadcast of images, sounds and messages via radio, television, Internet and satellite; rental of telecommunication equipment and supplies; telecommunication services via telephone</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 Musical, radio, television and video entertainment services, namely, custom arrangement and editing of music, audio and video programs; film production, rental of films, sound recordings and material for sound and picture recording, storage and broadcasting, rental of lighting apparatus</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 Interior design advisory services featuring space planning and technical arranging of spaces for projection of video and audio cassettes, compact discs, CD-ROMs, DVDs; development, updating and maintenance of software for transmis-</p>		

	sion and broadcasting of images, sounds and messages via the Internet, for encryption of data for the creation of multimedia products; development of musical compositions for others
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U.S. Registration No.	3943182	Application Date	06/22/2010
Registration Date	04/12/2011	Foreign Priority Date	NONE
Word Mark	MOOD MEDIA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 038. First use: First Use: 0 First Use In Commerce: 0 Services of transmission and broadcasting of images, sounds and messages by radio, television, Internet and satellite</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 Interior design of commercial spaces in the nature of space planning or areas used to display video and audio cassettes, compact disks, CD-ROMs and DVDs; Development, updating and maintenance of software used to transmit and distribute images, sounds and messages via the Internet; Development, updating and maintenance of software used to encrypt data and to create multimedia products</p>		

U.S. Registration No.	3946991	Application Date	06/22/2010
Registration Date	04/19/2011	Foreign Priority Date	NONE
Word Mark	MOOD MEDIA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Sound and image recording and reproducing apparatus and carriers</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 Printed matter, namely, books and magazines in the fields of sensory perception, fragrances and scent marketing; books in the field of sound and images carriers; magazines in the field of sound and image carriers</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Advertising for others utilizing electronic messages and broadcasts of recorded pictures; design of advertising for others; development of advertising campaigns for television, Internet, radio</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 Musical, radio, television and video entertainment services, namely, custom arrangement and editing of music, audio and video programs; film production; rental of films and sound recordings; rental of audiovisual equipment</p>		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	MOOD:		
Goods/Services	Internet delivery platforms for music and messaging, video location based services, interactive/experiential marketing services, among other related goods and services		

Attachments	79162026#TMSN.png(bytes) 79071262#TMSN.png(bytes) 79085172#TMSN.png(bytes) 79085156#TMSN.png(bytes) MOOD RADIO -- Notice of Opposition.pdf(676891 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/arlenedhanks/
Name	Arlene D. Hanks
Date	12/21/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial Number 86/586,542

Published: August 25, 2015

MOOD MEDIA,)	
)	
Opposer,)	
)	
v.)	Opposition Number _____
)	
MARINO RADIO MARKETING,)	
d/b/a MARINO RADIO MARKETING,)	
Applicant.)	
)	

NOTICE OF OPPOSITION

MOOD MEDIA, a Société par Actions Simplifiée (SAS) organized and existing under the laws of France and having its principal place of business at Route Départementale 307, F-78810 Feucherolles, France (hereinafter “Opposer”), believes that it will be damaged by registration of the mark shown in application Serial Number 86/586,542 in International Class 38, and hereby opposes the same.

This opposition is based on 15 U.S.C. §1063(a) and is timely submitted following an appropriate request for an extension of the time for Opposer to oppose the application. The grounds for this opposition are as follows:

1. Marino Radio Marketing (hereinafter “Applicant”), which is on information and belief a corporation organized under the laws of California, seeks to register the MOOD RADIO mark (hereinafter “Applicant’s Mark”) as a service mark for the following services in International Class 38, “radio program broadcasting; internet radio services, namely transmission of audio material via the Internet; radio

broadcasting” (hereinafter “Applicant’s Services”), as evidenced by publication of said mark in the *Official Gazette* on August 25, 2015.

2. Applicant’s Application was filed on April 3, 2015 under the intent to use provision of 15 U.S.C. §1051(b).

3. On information and belief, Applicant acquired no rights in Applicant’s Mark prior to April 3, 2015 when Applicant filed Applicant’s Application.

4. There is no issue as to priority. Prior to the filing date for Applicant’s Application to register Applicant’s Mark, and prior to any date of use upon which Applicant can rely, Opposer has registered, and Opposer, itself and/or through Opposer’s authorized affiliates and licensees, has used various marks comprised, in whole or in part, of the term MOOD (collectively “Opposer’s Mark”) in connection with a wide array of goods and services that are overlapping with and/or related to the services with which Applicant seeks protection for and intends to use Applicant’s Mark.

5. As shown on Schedule A, Opposer is the owner of a pending United States application (hereinafter “Opposer’s Application”) and multiple United States registrations (hereinafter “Opposer’s Registrations”) for Opposer’s Mark.

6. The June 19, 2014 priority filing date of Opposer’s Application significantly precedes the filing date of Applicant’s Application to register Applicant’s Mark in the United States.

7. The December 16, 2008 priority filing date and corresponding constructive use date of Opposer’s Registration No. 3,825,276 and the June 22, 2010 filing date and corresponding constructive use date of Opposer’s Registrations Nos. 3,943,182 and 3,946,991 significantly precede the filing date of Applicant’s Application to register Applicant’s Mark in the United States.

8. Since at least as early as May 2, 2013, Opposer, itself and/or through Opposer’s authorized affiliates and licensees, has exclusively and continuously used the mark MOOD: throughout the United States for, among other things, Internet delivery platforms for music and messaging, video location based services and interactive/experiential marketing services. Consequently, Opposer has established nationwide common

law rights in the MOOD: mark dating back to at least as early as May 2, 2013, which rights predate any rights Applicant has in Applicant's Mark and extend, without limitation, to the exclusive right to use such mark nationwide.

9. In conjunction with the registration of various forms of Opposer's Mark, Opposer has developed and is using a family of MOOD: -formative marks in connection with the same, similar or related goods and/or services, including, without limitation, MOOD:VISUALS, MOOD:SOCIALWIFI, MOOD:EXPLOREINSTORE, MOOD:QSR and MOOD:TV.

10. Opposer's Mark is inherently distinctive and as such is presumed to be an identifier of source to members of the public when used in commerce.

11. Opposer has spent substantial amounts of time, money and effort in developing and marketing Opposer's goods and services under Opposer's Mark in the United States and globally. As a result, members of the general public have come to identify Opposer's Mark with Opposer's goods and services and to recognize Opposer's Mark as a source indicator for goods and services of the highest quality and originating from Opposer.

12. Applicant's Mark and Opposer's Mark are visually and phonetically similar given that Applicant's Mark is a two-term mark that begins with the term MOOD and is followed by a term that Applicant has disclaimed as being descriptive of the associated services to be offered under the mark.

13. Because of the similarities in the sound and appearance between Applicant's Mark and Opposer's Mark, the respective marks project the same commercial impression.

14. Applicant's Mark is to be used with services that are the same and/or substantially similar and related to the goods and services with which Opposer's Mark is used and/or registered.

15. On information and belief, it is expected that Applicant's Services are or will be marketed to the same potential purchasers in the same relevant markets as are Opposer's goods and services.

16. On information and belief, Applicant uses or will use the same or similar media to advertise Applicant's Services under Applicant's Mark as used by Opposer to advertise Opposer's goods and services under Opposer's Mark.

17. Additionally, upon information and belief, the goods and services marketed under Applicant's Mark are or will be distributed through the same channels of distribution and are or will be purchased, rendered and used by many of the same individuals and entities as those of the Opposer's goods and services.

18. Members of the general public who may encounter Applicant's Mark and Opposer's Mark used with the same or highly-related goods and services are not in all instances "*sophisticated purchasers*" for purposes of a likelihood of confusion analysis and are, therefore, likely to conclude that the respective goods and services emanate from the same source.

19. Because of the similarity of marks, goods and services, relevant markets, advertising, channels of distribution, purchasers, and users, Opposer believes that there will be a likelihood of confusion if Applicant is permitted to register Applicant's Mark for use in conjunction with Applicant's Services.

20. If Applicant is granted the registration herein opposed, Applicant would be placed in a position to deceive or mislead the public, as the registration would give Applicant *prima facie* exclusive rights to Applicant's Mark and all confusingly similar marks, thereby causing damage and injury to Opposer.

21. Because of the similarity of marks, goods and services, relevant markets, advertising, channels of commerce, purchasers, and consumers, registration of Applicant's Mark would cause damage and injury to Opposer.

22. Concurrent use of Applicant's Mark for Applicant's Services and of Opposer's Mark by Opposer will result in irreparable damage to Opposer's reputation and goodwill as a result of the likelihood of confusion pled herein, all to the great detriment of Opposer.

23. Because Applicant's Mark consists of a mark which closely resembles Opposer's Mark and the family of MOOD-formative marks previously registered and/or used in the United States by Opposer

itself and/or through Opposer's authorized affiliates and licensees, and Applicant's Mark is likely, when used in connection with Applicant's Services, to cause confusion, to cause mistake, or to deceive, registration of Applicant's Mark is, therefore, barred under 15 U.S.C. §1052(d) and 15 U.S.C. §1125(a).

Accordingly, Opposer prays that said Application Serial Number 86/586,542 be rejected and the registration of the mark therein shown for the services therein specified be refused and denied.

This Notice of Opposition is herewith submitted together with the filing fee in the amount of \$300. If the fees enclosed are not sufficient, or if any additional fees are required, the Patent and Trademark Office is hereby authorized to charge our USPTO Deposit Account Number 502316 in the name of Moore & Van Allen PLLC.

Respectfully submitted, this 21st day of December, 2015.



Arlene D. Hanks
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ADH-PTOTMCorrespondence@mvalaw.com


Attorneys for Opposer Mood Media

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing Notice of Opposition has been served this day on the Applicant by depositing a copy thereof in a depository under the exclusive care and custody of the United States Postal Service in a first-class, postage prepaid envelope and properly addressed as follows:

Marino Radio Marketing
11741 Otsego St
Valley Village, California 91607

This 21st day of December, 2015.



Arlene D. Hanks
Moore & Van Allen PLLC
3015 Carrington Mill Boulevard, Suite 400
Morrisville, NC 27560
Telephone (919) 286-8000
Facsimile (919) 286-8199
Email: arlenehanks@mvalaw.com

Attorneys for Opposer Mood Media

Schedule A

Opposer's U.S. Application and Registrations of Opposer's Mark

Mark	Serial No./ Filing Date	Goods/International Class(es)	Priority filing Date
MOOD:MIX	79/162,026 December 16, 2014	<p>Class 35: Advertising, namely, online advertising on a computer network for others; market analysis and studies; statistical studies of data for business purposes and market opinion polling; rental of advertising material and space; rental of advertising time on communication media; commercial information and business advice services; organization of events, exhibitions and trade fairs for commercial or advertising purposes; bill-posting; publication of advertising texts; professional consulting in advertising and promotional matters; dissemination of advertising material, leaflets, prospectuses, printed matter, and samples; dissemination of advertising for others via an on-line communications network on the internet; Advertising, namely, dissemination of advertising messages for others on computer networks including sound and/or recorded video and images; layout services for advertising purposes, publication and writing of advertising texts; sales promotion for others; presentation of goods on all communication media, for retail sale, namely, retail store services featuring clothing, footwear, clothing accessories, bags, jewelry, cosmetics, food, vehicles; public relations; business administration; office functions; accounting; management of computer files, data banks and databases; compilation of information into and management of on-line computer databases and on-line searchable databases; demonstrations of goods via communication networks; consultancy in organization and business management provided via computer networks and communication networks; business management; advertising and marketing services, namely, promotion of the goods and services of others via computer networks, wireless networks and global communication networks; dissemination of advertisements and promotional materials for others via electronic mail and computer networks, wireless networks and global communication networks; analysis and consultancy relating to marketing. conducting of marketing studies; marketing management advice; preparation of marketing plans; marketing information; advertising management</p> <p>Class 38: Telecommunication services, namely, personal</p>	June 19, 2014

		<p>communication services about professional and business matters; provision of multiple-user access to a global computer information network; communication by and/or between computers and computer terminals; communications providing access to a global database; electronic transmission and broadcasting of data, sounds, images, videos and documents via computer terminals and via transmission systems such as waves, radio, optical fibers, television, cable, satellite and the Internet; transmission of file sharing and network sharing information via electronic communication networks; teleconferencing services; secure electronic transmission of data, particularly with access codes; broadcasting of multimedia programs that feature computer editing of texts, still or animated images, and musical or other sounds, for interactive or other use; broadcasting of radio and television programs, including via the Internet; radio broadcasting; broadcasting of television, radio and interactive television programs; broadcasting radio or television programs online via a global computer network; transmission of information by telematic means and video communication systems; electronic transmission of visual and/or sound data by all means of communication, including the Internet; electronic messaging services; providing access to a directory of information available on a global computer network; providing online access to sound and/or image databases; rental of access time to a database; transmission of information and video or audio data held in databases in various fields via a global computer network connected to the Internet</p> <p>Class 41: Entertainment and interactive entertainment services, namely, the provision of continuing programs, segments, movies, shows featuring music, news, comedy, commentary delivered via a global computer network or the Internet; educational services, namely, teaching and training in business, industry and information technology services; entertainment and educational services, namely, development, creation and production of video, text, audio and multimedia entertainment content, musical, radio and televised entertainment and online computer games; entertainment and educational services, namely, providing online non-downloadable books, magazines, newspapers, journals, electronic periodicals in the field of marketing, music, technology; providing of training and publication of tutorials in the field of marketing, music, technology; information, advice relating to all the aforesaid services; booking of seats for shows; organization of non-business,</p>	
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		<p>non-commercial competitions, namely, sports, cultural, music and technology competitions, lotteries and games of all kinds, on the radio, television and the Internet for entertainment and educational purposes; organization of fairs or exhibitions for cultural or educational purposes; arranging and conducting of training workshops, colloquiums, conferences, forums, congresses, seminars or symposiums for cultural or educational purposes; arranging of information campaigns and of professional or other events for cultural or educational purposes, namely, conventions, in-person forums in the fields of marketing, music, technology; production of films, series of videos music videos and television programs; organizing sporting and cultural activities; lending libraries; rental of films and sound recordings; editing and production of audiovisual, radio and television programs; publication of books and texts other than for advertising. rental of all sound and/or media recordings, media for recording in the nature of DVDs; editing and copying services for sounds and images, recording services for sounds and images in the nature of recording studios, recording services for videos in the nature of filming; editing of audiovisual programs in the nature of formatting of texts, of images, whether still or animated, of musical sounds; music publishing services; music composition services; creation, development and production of music programming; publication of texts, books, illustrations, journals, newspapers, magazines, periodicals and publications of all types and in all forms, other than advertising texts, including electronic and digital publications; publishing of multimedia carriers in the nature of interactive disks; publishing of multimedia programs and applications; editing of texts, still or animated images, musical sounds; publication of electronic books and journals on-line; photography services</p> <p>Class 42: Advisory services for space planning and technical planning of spaces for projecting video, audio and visual content and the dissemination of olfactory content; computer services, namely, the design of computer software, software packages and computer hardware; maintenance and updating of computer software, computer programming and computer systems analysis; design, testing, research, technical assistance in the nature of engineering and information in the field of storage of data, backup systems, hardware, backup and storage systems, computer software, telecommunications software and mobile and wireless communication devices; consultancy in the field of computer software,</p>	
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		<p>maintenance of computer software; programming for computers; services of an application service provider, namely, the design and development of software for creating, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing of text, sounds, graphics, pictures and electronic publications; graphic design for the compilation of web pages on the Internet; creating and managing Web sites and internal network sites; hosting of Web sites for others; providing search engines enabling the procurement of information via a communication network; providing search engines enabling the procurement of information on a global computer network; information, advice relating to all the aforesaid services; design for others of web sites, in particular online information directories; provision of search engines for obtaining data on a global computer network connected to the Internet; digital imaging services</p>	
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Mark	Reg.No./ Reg. Date	Goods/International Class(es)	Constructive Use Date
MOOD MEDIA and Design	3,825,276 July 27, 2010	<p>Class 9: Sound and image recording, storage and reproducing apparatus and blank magnetic, electronic and digital data carriers for use therewith; computer software for use in the creation of databases in the field of music and videos; computer software for recording sound and images for use with sound and image recording, storage and reproducing apparatus and carriers; Electronic databases in the field of music, video and news recorded on computer media</p> <p>Class 16: Printed matter, namely, books, magazines and periodicals in the field of music</p> <p>Class 35: Advertising services; Dissemination of advertising for others via the Internet; and advertising management</p> <p>Class 38: Transmission and broadcast of images, sounds and messages via radio, television, Internet and satellite; rental of telecommunication equipment and supplies; telecommunication services via telephone</p> <p>Class 41: Musical, radio, television and video entertainment services, namely, custom arrangement and editing of music, audio and video programs; film production, rental of films, sound recordings and material for sound and picture recording, storage and broadcasting, rental of lighting apparatus</p> <p>Class 42: Interior design advisory services featuring space planning and technical arranging of spaces for projection of video and audio cassettes, compact discs,</p>	December 16, 2008

		CD-ROMs, DVDs; development, updating and maintenance of software for transmission and broadcasting of images, sounds and messages via the Internet, for encryption of data for the creation of multimedia products; development of musical compositions for others	
MOOD MEDIA	3,943,182 April 12, 2011	Class 38: Services of transmission and broadcasting of images, sounds and messages by radio, television, Internet and satellite Class 42: Interior design of commercial spaces in the nature of space planning or areas used to display video and audio cassettes, compact disks, CD-ROMs and DVDs; Development, updating and maintenance of software used to transmit and distribute images, sounds and messages via the Internet; Development, updating and maintenance of software used to encrypt data and to create multimedia products	June 22, 2010
MOOD MEDIA	3,946,991 April 19, 2011	Class 9: Sound and image recording and reproducing apparatus and carriers Class 16: Printed matter, namely, books and magazines in the fields of sensory perception, fragrances and scent marketing; books in the field of sound and images carriers; magazines in the field of sound and image carriers Class 35: Advertising for others utilizing electronic messages and broadcasts of recorded pictures; design of advertising for others; development of advertising campaigns for television, Internet, radio Class 41: Musical, radio, television and video entertainment services, namely, custom arrangement and editing of music, audio and video programs; film production; rental of films and sound recordings; rental of audiovisual equipment	June 22, 2010